

House Engrossed Senate Bill

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-ninth Legislature  
Second Regular Session  
2010

CHAPTER 141

## **SENATE BILL 1067**

AN ACT

REPEALING SECTION 28-963, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 3, ARTICLE 16, ARIZONA REVISED STATUTES, BY ADDING A NEW SECTION 28-963; RELATING TO VEHICLE EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Repeal

3 Section 28-963, Arizona Revised Statutes, is repealed.

4 Sec. 2. Title 28, chapter 3, article 16, Arizona Revised Statutes, is  
5 amended by adding a new section 28-963, to read:

6 28-963. Image display device; prohibition; definition

7 A. A PERSON SHALL NOT VIEW A BROADCAST TELEVISION IMAGE OR A VISUAL  
8 IMAGE FROM AN IMAGE DISPLAY DEVICE WHILE THAT PERSON IS DRIVING A MOTOR  
9 VEHICLE AND THE MOTOR VEHICLE IS IN MOTION ON A PUBLIC ROADWAY OR ON AN  
10 OFF-HIGHWAY VEHICLE TRAIL AS DEFINED IN SECTION 28-1171.

11 B. A PERSON SHALL NOT OPERATE A MOTOR VEHICLE WITH AN IMAGE DISPLAY  
12 DEVICE THAT IS VISIBLE TO A DRIVER SEATED IN A NORMAL DRIVING POSITION WHEN  
13 THE VEHICLE IS IN MOTION.

14 C. THIS SECTION DOES NOT APPLY TO ANY OF THE FOLLOWING:

15 1. EMERGENCY VEHICLES.

16 2. IMAGE DISPLAY DEVICES THAT DO ANY OF THE FOLLOWING:

17 (a) DISPLAY IMAGES THAT PROVIDE A DRIVER WITH NAVIGATION AND RELATED  
18 TRAFFIC, ROAD AND WEATHER INFORMATION.

19 (b) PROVIDE VEHICLE INFORMATION, CONTROLS OR INFORMATION RELATED TO  
20 DRIVING A VEHICLE.

21 (c) ENHANCE OR SUPPLEMENT A DRIVER'S VIEW OF THE AREA TO THE FRONT,  
22 REAR OR SIDE OF THE VEHICLE.

23 (d) PERMIT A DRIVER TO MONITOR THE VEHICLE OCCUPANTS SEATED BEHIND THE  
24 DRIVER.

25 (e) DISPLAY INFORMATION INTENDED TO ENHANCE TRAFFIC SAFETY.

26 3. IMAGE DISPLAY DEVICES THAT ARE BUILT INTO THE MOTOR VEHICLE AND  
27 THAT DO NOT DISPLAY IMAGES TO A DRIVER WHILE THE VEHICLE IS IN MOTION.

28 4. IMAGE DISPLAY DEVICES THAT ARE PORTABLE AND ARE NOT USED TO DISPLAY  
29 DYNAMIC VISUAL IMAGES OTHER THAN FOR PURPOSES OF NAVIGATION OR GLOBAL  
30 POSITIONING TO A DRIVER WHILE THE VEHICLE IS IN MOTION.

31 5. IMAGE DISPLAY DEVICES PRESENT IN VEHICLES OF A PUBLIC SERVICE  
32 CORPORATION OR ANY POLITICAL SUBDIVISION OF THIS STATE AND USED FOR SERVICE  
33 OR MAINTENANCE OF ITS FACILITIES.

34 6. ANY USE OF AN IMAGE DISPLAY DEVICE WHILE THE VEHICLE IS PARKED.

35 D. FOR THE PURPOSES OF THIS SECTION, "IMAGE DISPLAY DEVICE" MEANS  
36 EQUIPMENT CAPABLE OF DISPLAYING TO THE DRIVER OF A MOTOR VEHICLE RAPIDLY  
37 CHANGING IMAGES THAT ARE EITHER OF THE FOLLOWING:

38 1. A BROADCAST TELEVISION IMAGE OR SIMILAR ENTERTAINMENT CONTENT  
39 TRANSMITTED BY OTHER WIRELESS MEANS TO THE IMAGE DISPLAY DEVICE.

40 2. A DYNAMIC VISUAL IMAGE, OTHER THAN TEXT, FROM A DIGITAL VIDEO DISC  
41 OR OTHER STORAGE DEVICE.

APPROVED BY THE GOVERNOR APRIL 23, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 26, 2010.